

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

[1] JONATHAN ROSARIO HERNANDEZ,
[2] CARLO JOEL HERNANDEZ ALICEA,
Defendants.

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INDICTMENT

CRIM. NO. 16-181

US DISTRICT COURT
SAN JUAN, PR
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P.JAC (8/6/16)

Violation:

21 U.S.C. § 841(a)(1)
21 U.S.C. § 846

Forfeiture:

21 U.S.C. § 853

TWO COUNTS &
FORFEITURE ALLEGATION

THE GRAND JURY CHARGES:

COUNT ONE
(Possession With The Intent to Distribute Controlled Substances)

On or about December 12, 2016, in the District of Puerto Rico, elsewhere, and within the jurisdiction of this Court,

[1] JONATHAN ROSARIO HERNANDEZ,
[2] CARLO JOEL HERNANDEZ ALICEA,

the defendants herein, did unlawfully, knowingly and intentionally possess with the intent to distribute five (5) kilograms or more of a mixture and substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A).

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COUNT TWO

(Conspiracy to Possess with the Intent to Distribute Cocaine)

On or about December 12, 2016, in the District of Puerto Rico and within the jurisdiction of this Court,

**[1] JONATHAN ROSARIO HERNANDEZ,
[2] CARLO JOEL HERNANDEZ ALICEA,**

the defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with other persons unknown to the Grand Jury, to commit an offense against the United States of America: to distribute five (5) kilograms or more of a mixture or substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(A).

FORFEITURE ALLEGATION
Title 21, United States Code, Section 853

1. The allegations contained in Counts One and Two of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Sections 841 and 846, the Defendants, **[1] JONATHANROSARIO HERNANDEZ, and [2] CARLO JOEL HERNANDEZ ALICEA**, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses.

3. If any of the property described above, as a result of any act or omission

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of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

TRAILING

FOREPERSON

DATE

12/15/2016

ROSA EMILIA RODRIGUEZ VELEZ
UNITED STATES ATTORNEY

Jose Caporriarte
Assistant U.S. Attorney
Chief, Criminal Division

Julia Diaz-Rex
Assistant U.S. Attorney
Deputy Chief Narcotics Unit

Stuart J. Zander
Assistant U.S. Attorney